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Attorneys for United States of America

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	NO. CR 15-00051-JST
	)	
Plaintiff,	)	STIPULATION AND <del>PROPOSED</del> ORDER
	)	CONTINUING HEARING DATE AND
v.	)	EXCLUDING TIME FROM OCTOBER 23, 2015
	)	TO NOVEMBER 6, 2015
THANH P. TRUONG and	)	
JEFFREY MENIES,	)	
	)	
Defendants.	)	

The defendants, Thanh P. Truong, represented by Angela Hansen, and Jeffrey Mennies, represented by Garrick S. Lew, and the government, represented by Scott D. Joiner, Assistant United States Attorney, hereby stipulate and agree as follows:

1. The Court notified the parties that it is unavailable for the status conference currently scheduled for October 23, 2015, and provided later dates of availability, which include November 6, 2015.

2. The parties have conferred and agree that November 6, 2015, is the best available date given the respective schedules of counsel and ongoing discovery.

3. The parties therefore jointly request that the Court continue the October 23, 2015, status

1 conference until November 6, 2015, at 9:30 AM.

2 4. The Court previously excluded time under the Speedy Trial Act through and including  
3 October 23, 2015, for the effective preparation of counsel.

4 5. The parties agree that in light of ongoing discovery, it remains appropriate to exclude  
5 time under the Speedy Trial Act for effective preparation of counsel through and including the date of  
6 the newly requested hearing date of November 6, 2015.

7 **SO STIPULATED.**

8 Date: October 6, 2015

BRIAN J. STRETCH  
Acting United States Attorney

9  
10 By: /s/  
SCOTT D. JOINER  
11 Assistant United States Attorney

12 Date: October 6, 2015

13 /s/  
ANGELA HANSEN  
14 Attorney for Thanh. P. Truong

15  
16 Date: October 6, 2015

17 /s/  
GARRICK S. LEW  
18 Attorney for Jeffrey Mennies

**~~PROPOSED~~ ORDER**

Pursuant to stipulation, IT IS HEREBY ORDERED that the court proceeding currently scheduled on October 23, 2015, at 8:30 a.m., be continued to November 6, 2015, at 9:30 a.m.

Based upon the representation of counsel and for good cause shown, the Court finds that failing to exclude the time between October 23, 2015, and November 6, 2015, would unreasonably deny the defendant continuity of counsel and would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv). The Court further finds that the ends of justice served by excluding the time between October 23, 2015, and November 6, 2015, from computation under the Speedy Trial Act outweigh the best interests of the public and the defendant in a speedy trial.

Therefore, IT IS HEREBY ORDERED that the time between October 23, 2015 through and including November 6, 2015, shall be excluded from computation under the Speedy Trial Act. 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

DATED: October 16, 2015

